

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TOBIAS MOELLER-BERTRAM,  
Individually and On Behalf of All Others  
Similarly Situated,

*Plaintiff,*

v.

GEMINI TRUST COMPANY, LLC, and  
DIGITAL CURRENCY GROUP, INC.,

*Defendants.*

No. 23-cv-2027

Hon. Lewis J. Liman

**[PROPOSED] STIPULATION &  
ORDER TO STAY PROCEEDINGS**

The undersigned counsel, on behalf of their respective clients, hereby stipulate as follows:

1. On March 16, 2023, Defendant Gemini Trust Company, LLC (“Gemini”) filed a motion to compel arbitration (the “Motion to Compel”) in this action. Plaintiff Tobias Moeller-Bertram (“Plaintiff”) has yet to file his opposition to the Motion to Compel.

2. In a similar action *Picha, et al., v. Gemini Trust Company, LLC, et al.*, 1:22-cv-10922 (Buchwald, J.) (the “Picha Action”), Defendants Gemini, Tyler Winklevoss, and Cameron Winklevoss moved to compel arbitration on April 7, 2023 (the “Picha Motion”). The Picha Motion is fully briefed.

3. Counsel for Gemini and Plaintiff agree that the efficient administration of these actions would be enhanced by staying this action until the Picha Motion is ruled upon by the Court.

4. Gemini and Plaintiff therefore stipulate, subject to the Court’s approval, that Gemini’s Motion to Compel in this action shall be stayed until the Court rules on the Picha Motion, at which time counsel will meet and confer with the goal of stipulating to the appropriate next events in this action.

Dated: New York, New York  
May 22, 2023

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Dated: May \_\_\_, 2023

SO ORDERED.

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LEWIS J. LIMAN  
United States District Judge